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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,587	08/30/2001	Chockalingam Arunachalam	DAVOX-173XX	1964

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EXAMINER

CHOW, MING

ART UNIT PAPER NUMBER

2645

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/943,587

Applicant(s)

ARUNACHALAM,
CHOCKALINGAM

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18 is/are allowed.
- 6) ☒ Claim(s) 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

ALLOWABLE SUBJECT MATTER

1. Claims 1-18 are allowed.

The following is an examiner's statement of reasons for allowance:

Upon close review of the claims, the prior art and applicant's remarks it appears that the allowance of claims 1-18 is appropriate. The prior art does not teach data exchange between outside parties utilizing telephone apparatus and a call center including an IVR, an operator terminal, and one database. In response to telephone signals, converting a portion of the signals into data signals. Means for populating an identifier for each outside call without an associated ANI. The populated identifier includes an extension of a port that received the telephone signal handled by said IVR. A voice response unit interface for receiving populated ANI. One queue for storing calls handled by the IVR. A data controller identifies populated and associated ANI for each call in the queue.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claim 19 is rejected under 35 U.S.C. 102(e) as being anticipated by Morganstein (US: 5309504).

Morganstein teaches on column 1 line 37, an interactive voice response computer (claimed "IVR"). Morganstein also teaches on column 1 line 39, in the event operator assistance is required, a computer connects the calling party to an attendant position equipped with a data terminal. The "attendant position equipped with a data terminal" of Morganstein is the claimed "operator terminal".

Morganstein teaches on step 122 Fig. 4a, when the result of step 122 is "NO", it is the claimed "each outside call handled by said IVR not having an ANI". Morganstein also teaches on step 178, "store caller ident. information" (reads on claimed "populating an automatic number identifier"). Morganstein teaches on column 3 line 14-26, a look-up table correlates the calling party identification (claimed "ANI") with the attendant positions (reads on claimed "a telephone number or extension of a port").

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Morganstein teaches on item 16 Fig. 1, attendant position (claimed “a port that received the telephone signal”). The stored automatic number identifier is received by steps 174 and 176 of Fig. 4a. The “store caller ident. information” also reads on “the stored number is associated with the caller”.

Morganstein teaches on column 3 line 50, “automatic number identification (ANI) equipment for identifying the calling party and providing such information to the data base computer for retrieving an associated record so that it can be later displayed. The “information” of Morganstein is the claimed “data exchange records”. It is inherent that there must be an interface (the claimed voice response unit interface) to receive an automatic number identifier (ANI).

Morganstein teaches on Fig. 4a and 4b, between step 120 Fig. 4a and step 200 Fig. 4b the call is queued in the switch. Morganstein teaches on steps 174 and 176 receiving (claimed “identifying”) ANI while the call is in the queue.

Morganstein teaches on step 224 Fig. 4c, “connect caller to attendant”.

Morganstein teaches on step 226 Fig. 4c and column 13 line 47 to column 14 line 3, the ANI is transmitted and displayed on the attendant’s terminal.

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2. Applicant's arguments filed on 1/24/05 have been fully considered.
 - i) New grounds of rejections have been stated above and it leads this Office Action to be non-final.

Conclusion

3. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.
 - ii) Scherer (US: 5867562)
4. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231


Or faxed to Central FAX Number 703-872-9306.

Patent Examiner

Art Unit 2645

Ming Chow

(m)


FAN TSANG
SUPERVISORY PATENT EXAMINER
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